

Clerk of Court.

United States District Court. P.O. Box 1060,
228 Walnut Street, Harrisburg, PA 17108.

ORIGINAL

David Kebe

Petitioner

VS

IMMIGRATION and Naturalization
Service (INS)

Respondent.

Civil action N° 1CV-00-1883

(Judge Kane) v

FILED
HARRISBURG, PA

MAY 08 2002

MARY E. D'ANDREA, CL.
Per MW
Deputy Clerk

Motion for Appointment of Counsel.

Now comes Petitioner, Pro-se and respectfully ask this honorable court to grant him a counsel.

Introduction

This Honorable is familiar with the background of this case. Therefore, Petitioner will not edress any unnecessary information and will proceed directly to the argument.

Petitioner, David Kebe has been under detention since February 12-1 awaiting deportation. On August 02/2002 petitioner filed a motion for Reconsideration of a denial in a Prior habeas corpus Petition. Petitioner later filed a motion to amend the Motion for Reconsideration which was granted. INS in Response to Petition Motion for Reconsideration concede that ZADvydas is applicable in Petitioner's case.

Petitioner is Pending the judgement of the court.

The Supreme Court considered that indefinite detention for more than six months was unconstitutional, left alone (3 years)
 Zadvydas VS DAVID. 121 Sct 2491-2505 (June 28, 2001).

At this point in time, it is my motion before This honorable Court seeking Assistance of counsel.

Because I believe that my Due Process Right is Violated. Also my need of counsel is focused on my current status. I do not have any family or friends in this country that I can Turn for help.

Conclusion.

Wherefore, for the Above Reasons, Petitioner respectfully Request that this honorable court grant him a counsel. I've Attached a Financial Affidavit.

Dated May 03-2002.

Respectfully submitted

David Kebe

David Kebe

Berks county Prison

1287 county Welfare Road

Leesport, Pa. 19533-9397

01/11/02 FRI 16:09 FAX 717 782 3881

FED PUB DEE HBG

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FINANCIAL AFFIDAVIT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES
IN THE CASE OF☐ MAGISTRATE ☒ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

United States vs.

FOR

Middle District of Pennsylvania

AT

Select location

LOCATION NUMBER

100-00 1883

PERSON REPRESENTED (Show your full name)

David Kebe

- 1 ☒ Defendant - Adult
 2 ☐ Defendant - Juvenile
 3 ☐ Appellant
 4 ☐ Probation Violator
 5 ☐ Parole Violator
 6 ☐ Habeas Petitioner
 7 ☐ 2255 Petitioner
 8 ☐ Material Witness
 9 ☐ Other (Specify)

DOCKET NUMBERS

Magistrate

District Court

Court of Appeals

CHARGE/OFFENSE (describe if applicable & check box →)

- ☐ Felony
☒ Misdemeanor

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

ASSETS	EMPLOYMENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Am Self Employed
		Name and address of employer: _____
		IF YES, how much do you earn per month? \$ _____ IF NO, give month and year of last employment _____ How much did you earn per month? \$ _____
		If married Is your Spouse employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, how much does your Spouse earn per month? \$ _____ If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$ _____
OTHER INCOME	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES	RECEIVED _____ SOURCES _____
CASH	Have you any cash on hand or money in savings or checking account <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, state total amount \$ _____	
PROPERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	IF YES, GIVE THE VALUE AND DESCRIBE IT	VALUE _____ DESCRIPTION _____

OBLIGATIONS & DEBTS	DEPENDENTS	MARITAL STATUS <input type="checkbox"/> SINGLE <input type="checkbox"/> MARRIED <input type="checkbox"/> WIDOWED <input checked="" type="checkbox"/> SEPARATED OR DIVORCED	Total No. of Dependents _____	List persons you actually support and your relationship to them _____ _____ _____
	DEBTS & MONTHLY BILLS (LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)	APARTMENT OR HOME:	Creditors	Total Debt Monthly Payt.
			\$ _____	\$ _____
			\$ _____	\$ _____
			\$ _____	\$ _____
			\$ _____	\$ _____

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date) May 03 2002

SIGNATURE OF DEFENDANT
(OR PERSON REPRESENTED)

David Kebe

FEDERAL PUBLIC DEFENDER

MIDDLE DISTRICT OF PENNSYLVANIA
100 CHESTNUT STREET, SUITE 306
HARRISBURG, PENNSYLVANIA 17101-2540
TELEPHONE: (717) 782-2237
FAX: (717) 782-3881

FEDERAL PUBLIC DEFENDER
JAMES V. WADE

ASSISTANT FEDERAL DEFENDERS
DANIEL I. SIEGEL
LORI J. ULRICH
THOMAS A. THORNTON

May 1, 2002

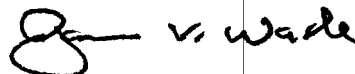
David Kebe
BCP #666
Housing Unit C101
Berks County Prison
1287 County Welfare Road
Leesport, PA 19533-9397

Dear Mr. Kebe:

I received your Motion for Appointment of Counsel on April 18, 2002. It is clear that you are seeking assistance of counsel from the Federal Public Defender's Office. However, your motion should be filed with the Clerk of Court for the Middle District of Pennsylvania, not this office. The appointment of counsel is at the discretion of the court. In other words, the court may appoint counsel in your situation; however, there is nothing in the law to require the appointment of counsel. I may only be appointed to a case by the court. I cannot appoint myself to a case.

You should send your motion to the following address for filing: Clerk Of Court, United States District Court, P.O. Box 1060, 228 Walnut Street, Harrisburg, PA 17108.

Sincerely,



James V. Wade
Federal Public Defender

JVW/hnl